

Attorney Docket 54800-501501

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\$RCE 1631

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Roderic M. K. Dale** )  
Application No. **09/669,033** ) Examiner: **Young J. Kim**  
Filed: **September 25, 2000** ) Group Art Unit: **1631**  
For: **Method for Detecting Nucleic Acid** )  
**Sequences** )

**Mail Stop RCE**

U.S. Patent and Trademark Office  
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Arlington, VA 22202

**REQUEST FOR CONTINUED EXAMINATION (RCE)**

This is a request for continued examination (RCE) under 37 C.F.R. 1.114 of U.S. Application 09/669,033 entitled Method for Detecting Nucleic Acid Sequences.

1. Please consider and enter the attached Amendment under 37 C.F.R. 1.114.
2. **Extension of Time:** The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a) apply. Applicants petition for a five month extension of time from June 23, 2003 to November 23, 2003 with the filing of this request. This request is being filed under the next business day rule on Monday, November 23, 2003 as the due date for responding fell on a Sunday (November 23, 2003). If Applicants have inadvertently overlooked the need for additional extension of time, please consider this a Petition therefor. The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.
3. **Fee Calculation** (37 C.F.R. 1.16)

CLAIMS AS AMENDED						
	Remaining		Previous	Extra	Rate	Total Fees
Total	11	minus	20	0	\$18 each=	0.00
Independent	2	minus	3	0	\$84 each=	0.00
First presentation of Multiple dependent claim					\$280.00	0.00
SUB-TOTAL =						0.00
Reduction by 1/2 for filing by a small entity						
TOTAL FEE =						0.00

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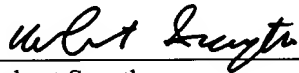
4. Fee Payment: The Commissioner is hereby authorized to charge **\$1390.00** to Deposit Account No. 50-0310 for payment of the request for continued examination filing fee for a small entity (\$385.00) and the five month extension of time fee (\$1005.00).
5. Please address all correspondence to:

**Customer Number: 009629**  
Morgan, Lewis & Bockius LLP  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004

6. Constructive Petition: **Except** for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **Constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Date: **November 24, 2003**  
Morgan, Lewis & Bockius LLP  
Customer No. **009629**  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004

Respectfully submitted,  
**Morgan, Lewis & Bockius LLP**

  
\_\_\_\_\_  
Robert Smyth  
Registration No. 50,801



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Application No. **09/669,033** ) Examiner: **Young J. Kim**  
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For: **Method for Detecting Nucleic Acid** )  
**Sequences** )

**AMENDMENT UNDER 37 C.F.R. 1.114**

This request for continued examination is filed in response to the Office Action dated October 23, 2002. Applicant previously filed a notice of appeal on April 23, 2003 with a petition for a three month extension of time, which is now withdrawn by the filing of this request. This request is therefore being filed with an accompanying petition for a five-month extension of time extending the period of response from June 23, 2003 to November 23, 2003. Also, this request is being filed on Monday, November 24, 2003 under the next business day rule as the due date for filing fell on Sunday, November 23, 2003. An authorization to charge the deposit account of the undersigned to cover the cost of the filing fee and five-month extension of time is enclosed.

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks/Arguments** begin on page 5 of this paper.

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